



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	
	)	
JONATHAN S. STAMLER	)	Group Art Unit: 1654
	)	
Patent Application No. 09/757,610	)	Examiner: R.R. Teller
	)	
Filed: January 11, 2001	)	
	)	
For: INHIBITING GS-FDH TO MODULATE	)	
NO BIOACTIVITY	)	

RESPONSE

Honorable Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

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**MAR 04 2003**

**TECH CENTER 1600/2900**

This is in response to the office action of January 27, 2003.

Please consider the following remarks.

Remarks

Claims 8-14 remain in the case.

There is a single rejection, namely Claims 8-14 have been rejected for obviousness type double patenting over Claims 1, 31 and 33 of U.S. Patent No. 6,057,367. Reconsideration is requested.

It is noted that a terminal disclaimer is not available in this case, to overcome the rejection. This is because title in this application and in U.S. Patent No. 6,057,367 are not the same, in that there is an additional assignee for U.S. Patent No. 6,057,367.

However, it is submitted that the rejection is inappropriate, on the basis that Claims 8-14 here are unobvious over Claims 1, 31 and 33 of U.S. Patent No. 6, 057,367.